

PROCEEDINGS OF THE COMMON COUNCIL
IN Regular SESSION
Tuesday, March 22 1983

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING March 22 A.D., 19 83,
IN Regular SESSION. PRESIDENT Ben A. Eisbart
John H. Logan, Council Attorney
IN THE CHAIR, AND Charles W. Westerman CLERK, AT THE DESK,

PRESENT THE FOLLOWING MEMBERS VIZ:
BRADBURY _____, BURNS _____, EISBART _____,
GIAQUINTA _____, SCHMIDT _____, SCHOMBURG _____,
SCRUGGS _____, STIER _____, TALARICO _____,
ABSENT _____

COUNCILMAN _____, _____, _____,
_____, _____, _____

THE INVOCATION WAS GIVEN BY _____

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF
_____, 19 _____. MOTION MADE AND CARRIED THAT REPORT BE MADE
A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR March 8, 19 83,
_____, 19 _____,

SPECIAL _____, 19 _____,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED
AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its ^{Regular} Session, held on Tuesday the 22nd day of March, 19 83 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 23rd day of March, 19 83.

Charles W. Westerman
Charles W. Westerman
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

10 March 1983

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated alley.

The proposed ordinance is designated as:

Bill No. G-83-01-06

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
10th day of March 1983.

Stephen A. Bailey
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

10 March 1983

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) alley vacation ordinance acted upon by the City Plan Commission at their regular meeting held February 28, 1983. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-83-01-06
2. Intended Use: Adjacent property owners want to prevent the public from utilizing these alleys for security purposes.
3. Plan Commission Recommendation: DO PASS with condition

CONDITION: Easements should be retained in those portions of the alley where utilities are located.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

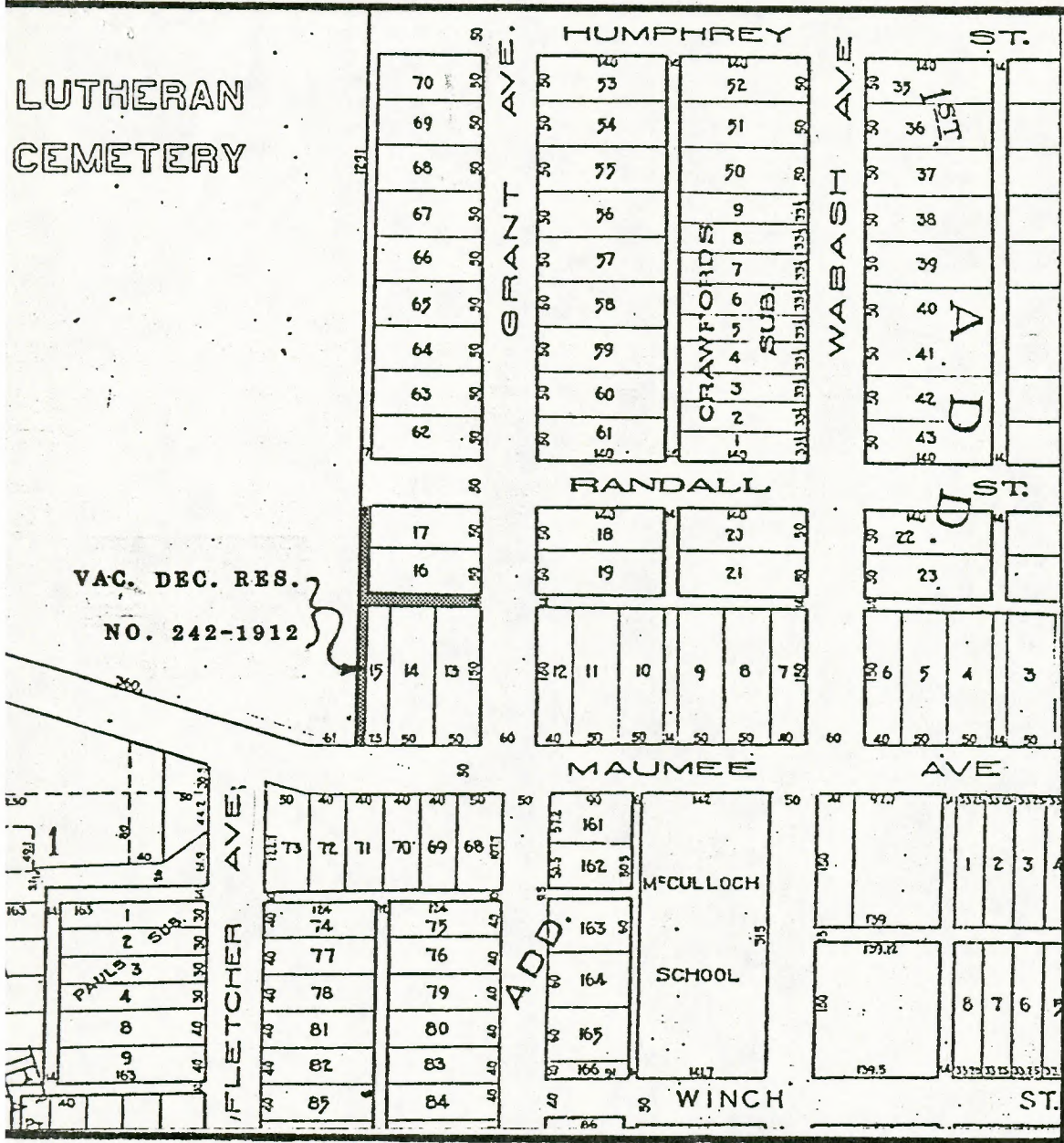
Gary F. Baeten, Senior Planner
Division of Land Use Management

GFB:pb

Attachments

LUTHERAN
CEMETERY

VAC. DEC. RES.
NO. 242-1912



ALLEYS TO BE VACATED

Map NO. P-6

6-83-01-06



10-14-1982

RESOLUTION 72 - 212 - 11

WHEREAS, J. STEVEN KOESTER, PRESIDENT OF JSK CORPORATION and DON R. REMENSCHNEIDER, SUPERINTENDENT for CONCORDIA CEMETERY have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alleys situated in Fort Wayne, Allen County, to-wit:

1. A 7 foot wide alley running north-south along the west edge of lots 15, 16 and 17, White's First Addition to the City of Fort Wayne, Allen County, Indiana, and along the east edge of the Lutheran Cemetery, west of Grant Avenue, between Maumee Avenue on the south and Randall Street on the north.
2. A 14 foot wide alley which runs east-west along the north edge of lots 13, 14 and 15 and along the south edge of lot 16, White's First Addition to the City of Fort Wayne, Allen County, Indiana, north of Maumee Avenue, between Grant Avenue on the east and the Lutheran Cemetery on the west.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of the public alleys has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public alleys hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public alleys hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public alleys or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Stephen A. Bailey Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held March 2, 1983. and as same appears of record in the official records of said Board of Public Works.

DATED THIS 2nd DAY OF March 19 83.

FORT WAYNE BOARD OF PUBLIC WORKS

Stephen A. Bailey
Stephen A. Bailey, Chairman

Roberta Anderson-Staten, Member

Betty R. Collins
Betty R. Collins, Member

RESOLUTION

WHEREAS, J. STEVEN KOESTER, PRESIDENT OF JSK CORPORATION and DON R. REMENSCHNEIDER, SUPERINTENDENT for CONCORDIA CEMETERY have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public alleys situated in Fort Wayne, Allen County, to-wit:

1. A 7 foot wide alley running north-south along the west edge of lots 15, 16 and 17, White's First Addition to the City of Fort Wayne, Allen County, Indiana, and along the east edge of the Lutheran Cemetery, west of Grant Avenue, between Maumee Avenue on the south and Randall Street on the north.
2. A 14 foot wide alley which runs east-west along the north edge of lots 13, 14 and 15 and along the south edge of lot 16, White's First Addition to the City of Fort Wayne, Allen County, Indiana, north of Maumee Avenue, between Grant Avenue on the east and the Lutheran Cemetery on the west.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Act of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on February 14, 1983 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public alleys.

WHEREAS, said vacation has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said alleys hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public alleys hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public alleys or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said alleys in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Stephen A. Bailey, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held February 28, 1983, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 10th DAY OF March 19 83

FORT WAYNE CITY PLAN COMMISSION


Stephen A. Bailey, Secretary

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 24/83/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,

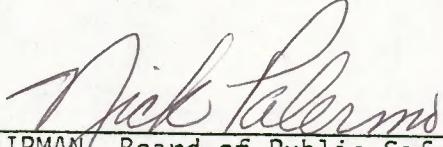
A handwritten signature in dark ink, reading "Nick Palermo". The signature is written in a cursive style with a large, stylized "N" and "P".

Nick Palermo, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 24/83/D)

I hereby certify that I did this 10th day of
March, 1983 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 24/83/D of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 24/83/D

(Adopted March 10, 1983)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-87 of said chapter delegates to this Board authority to NO PARKING (DELEGATED)

_____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 8, 19 83, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-87 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

March 10, 1983, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

Main Street -- north side -- from 110' east of Center Street to 120' east thereof


President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 25/83/E
26/83/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Nick Palermo". The signature is fluid and cursive, with the first name "Nick" and last name "Palermo" clearly distinguishable.

Nick Palermo, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 25/83/E
26/83/E)

I hereby certify that I did this 14th day of
March, 19 83 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 25/83/E
26/83/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

(Adopted March 14, 19 83)

: AND,

Berry Street -- south side -- from Lafayette Street to 130 ft.
east of Barr Street

REGULATORY RESOLUTION NO. 26/83/E

(Adopted March 14, 1983)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 7/83/E: TWO HOUR

PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY); DELETE: TWO HOUR

PARKING 8:00 A.M. - 3:00 P.M. (EMERGENCY) and NO PARKING

3:00 P.M. - 6:00 P.M.

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated March 11, 1983, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 14, 1983, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS

ESTABLISHED:
TWO HOUR PARKING 8:00 A.M. - 6:00 P.M. (EMERGENCY)

Berry Street -- south side -- from Clay Street to Lafayette Street

DELETE:

TWO HOUR PARKING 8:00 A.M. - 3:00 P.M. (EMERGENCY)

Berry Street -- south side -- from Clay Street to Lafayette Street

NO PARKING 3:00 P.M. - 6:00 P.M. (EMERGENCY)

Berry Street -- south side -- from Clay Street to Lafayette Street

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 27/83/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Nick Palermo". The signature is fluid and cursive, with the first name "Nick" being more prominent and the last name "Palermo" following in a similar style.

Nick Palermo, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 27/83/E)

I hereby certify that I did this 17th day of March, 19 83 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 27/83/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 27/83/E

(Adopted March 17, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to SPEED LIMIT 25 MPH WHEN CHILDREN PRESENT

(EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated March 16, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 17, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

SPEED LIMIT 25 MPH WHEN CHILDREN PRESENT (EMERGENCY)

Werling Drive -- from --Capitol Avenue to Paulding Road

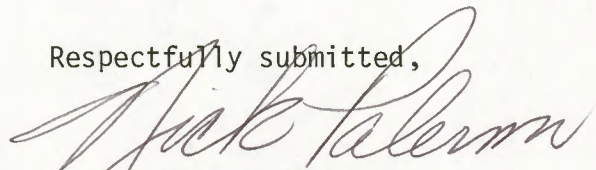
President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 28/83/E
29/83/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,


A handwritten signature in dark ink, appearing to read "Nick Palermo", written in a cursive style.

Nick Palermo, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 28/83/E
29/83/E)

I hereby certify that I did this 21st day of
March, 1983 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 28/83/E
29/83/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 28/83/E

(Adopted March 21, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 8/83/E: THRU STREET

(EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated March 18, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 21, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

THRU STREET

(EMERGENCY)

Sherman Blvd. -- from --Coliseum Boulevard to Pape Avenue except at Coliseum Boulevard, Goshen Avenue, State Boulevard, Spring Street and High Street

REGULATORY RESOLUTION NO. 29/83/E

(Adopted March 21, 19 83)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 9/83/E: NO PARKING

(EMERGENCY) and DELETE: NO PARKING EMERGENCY VEHICLES

ONLY (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated March 18, 19 83, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 21, 19 83, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Calhoun Street -- east side -- from 50' north of Main Street
to 95' north thereof

DELETE:

NO PARKING EMERGENCY VEHICLES ONLY (EMERGENCY)

Calhoun Street -- east side -- from 50' north of Main Street
to 95' north thereof